



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety Administration**

September 24, 2015

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

DOT-SP 16569

**EXPIRATION DATE: December 31, 2015**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The Boeing Company  
St. Charles, MO
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the transportation in commerce of certain forbidden hazardous materials aboard cargo aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
  - d. This special permit serves as an "exemption" as defined in 1;3.1.1 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § §172.101 Column(9B), §172.204(c)(3); §173.27(b)(2) and (3).

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5. BASIS: This emergency special permit is based on the application of The Boeing Company dated September 8, 2015, submitted in accordance with § 107.117 and a determination that it is necessary national security.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Bombs, with bursting charge	1.2D	UN0035	II

SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packaging must be as required by DOT-EX 2015090270.
- b. OPERATIONAL CONTROLS:
- (1) Transportation is authorized only between East Camden, AR, St. Charles, MO, and Danish Defense Supply Agency, Lilholtvej, Denmark.
  - (2) The aircraft must be owned and operated by Kalitta Air, LLC.
  - (3) All requirements in the HMR and the ICAO TI apply, except as specified herein.
  - (4) All packages must be blocked and braced to prevent movement.
  - (5) Alternative pilot-in-command notification procedures for 49 CFR 175.33, may be established subject to the written approval of the cognizant Regional Hazardous Materials Manager or the FAA headquarters.
8. SPECIAL PROVISIONS:
- a. Advance Notice of FAA Hazardous Materials Manager. The operator of the aircraft must notify the Regional Hazardous Materials Manager in the region where the flight will

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originate. This notification must be given at least 72 hours in advance of plans to operate under the special permit, unless prior arrangements have been made with the cognizant Regional Hazardous Materials Manager or the FAA headquarters. The notification must include the point of departure, intermediate stops, destination(s), and a loading and departure schedule. If a flight schedule deviates more than four hours from the originally scheduled departure time, the operator of the aircraft must notify the cognizant Regional Hazardous Materials Manager or the FAA headquarters. Alternate notification procedures may be established subject to the written approval of the cognizant Regional Hazardous Materials Manager.

b. Advance permission from airport. If an airport is used, the operator of the aircraft must have advance permission from the owner or operator of each manned airport where the material is to be loaded or unloaded or where aircraft is to land while the materials are on board. When the destination is changed after departure because of weather or other unforeseen circumstances, permission from the owner or operator of the alternate airport must be obtained as soon as practicable.

c. Flight plan. The operator of the aircraft must include the following information in the "Remarks" section of each flight plan when the provisions of this special permit are exercised:

(1) The classification of each hazardous material aboard the aircraft.

(2) The net weight of each class of hazardous material aboard the aircraft.

(3) This requirement does not apply to operations where a flight plan cannot be filed (e.g., operating in remote areas or uncontrolled airspace).

d. Loading and unloading. Loading and unloading operations under this special permit must comply with the following:

(1) The loading and unloading of the aircraft must be conducted at a safe distance from heavily populated areas and from any place of human abode or assembly. However, at an airport where the airport owner or operator or authorized representative thereof has designated a specific location for loading or

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unloading, the hazardous materials may not be loaded or unloaded at any other location.

(2) Carriage of explosives under this special permit is subject to the same limitations and conditions specified for their transportation by motor vehicle in § 177.835(g) and § 177.848.

e. Requirements during operation of aircraft. Operation of the aircraft during takeoff, en route, and landing must be conducted at a safe distance from heavily populated areas.

(1) Before movement of the aircraft prior to take-off, in an airport traffic area, the pilot of the aircraft must notify the control tower of the class(es) of hazardous materials on board.

(2) The pilot of the aircraft, prior to entering an airport traffic area, must notify the control tower of the class of hazardous and the amount of each class on board and request this information be relayed to the appropriate airport officials. For airports without control towers, this call must be made to the Flight Service Station nearest the airport of intended landing.

(3) When under radar control during the approach and landing phase, the pilot must request appropriate vectors so as to avoid heavily populated areas.

f. Pilot requirements. The operator of the aircraft must ensure the following with respect to pilots of aircraft operating under this special permit:

(1) A minimum of two pilots is required aboard any multi-engine aircraft carrying hazardous materials under this special permit.

(2) Each pilot must be provided written instructions outlining any conditions and limitations applicable at each airport of intended use. The name of the official(s) granting the advance permission required by paragraph 9.g. above must be included in these instructions, except when a landing permit has been granted by an agency of the Department of Defense for landing at a military installation.

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(3) Each pilot of an aircraft being operated under this special permit must have received formal training on the requirements of 49 CFR Parts 171-180 that are applicable to his or her duties and be thoroughly familiar with the specific requirements of this special permit.

h. A copy of the required security plan must be made available to any DOT inspector upon request.

i. The aircraft operator must maintain permanent records of each flight during which hazardous materials are carried under the authority of this special permit. This record must be made available at its principal business office to representatives of the Federal Aviation Administration and submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) upon request. The record for each flight must include:

- (1) Name of the shipper(s).
- (2) Name of the consignee(s).
- (3) Origin airport(s).
- (4) En route airport(s).
- (5) Destination airport.
- (6) Shipping name and Class/Division of each hazardous material.
- (7) Net weight of each hazardous material Class/Division.
- (8) Name of each pilot and any other person aboard the aircraft.
- (9) Registration number of the aircraft.
- (10) Name of the individual representing the owner or operator of each manned airport who granted advance permission for the aircraft to land or take off while it was being operated under this special permit.

The record required by this paragraph must be maintained current to within 72 hours of each flight under this special permit.

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j. This special permit does not grant the authority to use foreign controlled airspace or airports outside the United States.

k. This special permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.

l. For purposes of transportation by cargo aircraft, this special permit also constitutes an exemption to the ICAO TI in accordance with 1;1.1.3.

m. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of the States of origin, transit, over flight, and destination of the consignment, as well as the State of the air operator.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special

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permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the  
Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)

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